

19115. Adulteration of butter. U. S. v. 26 Tubs of Butter. Consent decree of condemnation. Product released under bond. (F. & D. No. 27830. I. S. No. 44983. S. No. 5422.)

Examination of butter from the shipment herein described having shown that the samples contained less than 80 per cent by weight of milk fat, the standard provided by Congress, the Secretary of Agriculture reported the matter to the United States attorney for the Northern District of Iowa.

On October 29, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 26 tubs of butter at Sioux City, Iowa, alleging that the article had been shipped by the Farmers Cooperative Creamery Co., from Humboldt, S. Dak., on or about October 20, 1931, and had been transported from the State of South Dakota into the State of Iowa, and charging adulteration in violation of the food and drugs act.

It was alleged in the libel that the article was adulterated in that a product containing less than 80 per cent by weight of milk fat had been substituted for butter, which should contain 80 per cent of milk fat as provided by the act of Congress of March 4, 1923.

On November 3, 1931, the Farmers Cooperative Creamery Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered by the court that the product be released to the said claimant to be reconditioned, under the supervision of this department, upon payment of costs and the execution of a bond in the sum of \$800, conditioned in part that it should not be sold or disposed of contrary to the food and drugs act or the laws of any State.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19116. Adulteration of canned sardines. U. S. v. 149 Cases of Canned Sardines. Decree of condemnation entered. Product released under bond. (F. & D. No. 26931. I. S. No. 36190. S. No. 5123.)

Samples of canned sardines from the shipment herein described were found to be partly diseased and decomposed. The product had been shipped by Connors Bros. (Ltd.), Black's Harbour, New Brunswick, Canada, from Boston, Mass.

On August 31, 1931, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 149 cases of canned sardines at Oklahoma City, Okla., alleging that the article had been shipped in interstate commerce from Boston, Mass., into the State of Oklahoma, on or about June 8, 1931, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (Can) "Brunswick Brand Canadian Sardines In Oil Packed By Connors Bros. Ltd. Black's Harbour N. B. Canada."

It was alleged in the libel that the article was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance, and for the further reason that it was the product of a diseased animal.

On September 25, 1931, Carroll, Brough & Robinson Wholesale Co., and the Wallace Bros. Brokerage Co., both of Oklahoma City, Okla., having entered an appearance and having consented to the entry of a decree, judgment of condemnation was entered and it was ordered by the court that the product be released to the Wallace Bros. Brokerage Co., upon payment of costs and the execution of a bond in the sum of \$500, conditioned in part that it should not be sold contrary to the provisions of the Federal food and drugs act, or the laws of any State, Territory, or insular possession.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19117. Misbranding of sweet pickles and sweet relish. U. S. v. 89 Cases of Pickles, et al. Default decree of destruction entered. (F. & D. No. 25999. I. S. Nos. 24928, 24929. S. No. 4268.)

Sample bottles of sweet pickles and sweet relish taken from the shipments herein described having been found to contain less than the declared weight, the Secretary of Agriculture reported the matter to the United States attorney for the District of Minnesota.

On March 7, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 89 cases of sweet pickles and 10 cases of sweet relish at St. Paul,